

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DALE HARPER,)	
)	
Plaintiff,)	
vs.)	NO. CIV-14-0563-HE
)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS DIRECTOR, ROBERT)	
PATTON, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Plaintiff Dale Harper, a state prisoner appearing *pro se*, filed this action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights. Consistent with 28 U.S.C. § 636(b)(1)(B), (C), the matter was referred to Magistrate Judge Suzanne Mitchell for initial proceedings. She liberally construed a “Petition” plaintiff filed, in which he complained about the Oklahoma State Penitentiary law librarian’s alleged failure to comply with prison policy, as a request for a preliminary injunction. The magistrate judge concluded that plaintiff was not entitled to injunctive relief and recommended that plaintiff’s motion be denied.

Plaintiff, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court adopts Magistrate Judge Mitchell’s Report and Recommendation. Plaintiff’s motion [Doc. #35], construed as a request for a preliminary injunction, is denied.

IT IS SO ORDERED.

Dated this 29th day of December, 2014.



JOE HEATON
UNITED STATES DISTRICT JUDGE